

## RESOLUTION \_\_\_\_\_

**A RESOLUTION CONCERNING A PROPOSED SALE  
OF CITY REAL PROPERTY**

RESOLVED BY THE CITY COUNCIL OF MUSCATINE, IOWA, as follows:

1. The City Council of Muscatine, Iowa intends to dispose of certain property, legally described as:

A CERTAIN TRACT OR PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWO (2) WEST OF THE FIFTH (5<sup>TH</sup>) PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION TWENTY-FIVE (25), 533.8 FEET SOUTH OF THE CENTER OF SAID SECTION TWENTY-FIVE (25), THE PLACE OF BEGINNING; RUNNING THENCE EAST TO THE EAST LINE OF PARK AVENUE IN THE CITY OF MUSCATINE, IOWA, TO A POINT 800 FEET NORTHERLY MEASURED ALONG THE EAST LINE OF SAID PARK AVENUE FROM A POINT WHERE THE NORTH LINE OF FAIR OAKS ADDITION TO THE CITY OF MUSCATINE, IOWA, INTERSECTS THE EAST LINE OF SAID PARK AVENUE, THENCE CONTINUING EAST A DISTANCE OF 400 FEET, THENCE NORTH 200 FEET, THENCE WEST TO A POINT ON THE NORTH AND SOUTH CENTER LINE OF SAID SECTION TWENTY-FIVE (25), 200 FEET TO THE PLACE OF BEGINNING..

(The "Property").

2. The City has determined that it has no use for the Property and that disposal of the same is for the public good.
3. The sale will be conducted via a closed bid auction and conveyance will be by Special Warranty Deed. The sale procedures are attached to this Resolution.
4. Notice of the intention to sell the real property will be given by publication of the Public Notice attached as Exhibit A. The notice will be published once in the Muscatine Journal, a newspaper printed, published and of general circulation in the City, not less than 4 nor more than 20 days before the meeting of the City Council at which the proposal is to be considered.
5. Written sealed bids shall be submitted by, on or before 9:59 A.M. on April 11, 2012, and the closed bid auction will be held at 10:00 A.M. on April 11, 2012 in the first floor conference room in City Hall, 215 Sycamore Street, Muscatine, Iowa 52761. The successful bidder will execute a proposed purchase agreement, which shall be subject to Council review and approval.
6. The City Council will hold a public hearing on the proposed real property sale on April 19, 2012, at 7:00 P.M. in the City Council Chambers at City Hall, Muscatine, Iowa. If the proposed purchase agreement is approved, the Council shall enter a final resolution authorizing the sale.

7. The City Attorney is authorized and directed to review the resolutions authorizing the sale of real property and approving the executed deed, which resolutions will be presented and considered by the City Council following the public hearing.

**PASSED, APPROVED AND ADOPTED** on March 15, 2012.

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DeWayne Hopkins, Mayor

ATTEST:

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Randy Hill, Acting City Clerk

## **EXHIBIT A**

### **NOTICE OF INTENT TO DISPOSE OF CITY PROPERTY TO THE CITIZENS OF MUSCATINE, IOWA:**

**You are hereby notified that the City Council of Muscatine, Iowa, intends to sell all rights, title and interest of the city in and to the following described real property in Muscatine, Iowa, to-wit:**

**A CERTAIN TRACT OR PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWO (2) WEST OF THE FIFTH (5<sup>TH</sup>) PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:**

**COMMENCING AT A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION TWENTY-FIVE (25), 533.8 FEET SOUTH OF THE CENTER OF SAID SECTION TWENTY-FIVE (25), THE PLACE OF BEGINNING; RUNNING THENCE EAST TO THE EAST LINE OF PARK AVENUE IN THE CITY OF MUSCATINE, IOWA, TO A POINT 800 FEET NORTHERLY MEASURED ALONG THE EAST LINE OF SAID PARK AVENUE FROM A POINT WHERE THE NORTH LINE OF FAIR OAKS ADDITION TO THE CITY OF MUSCATINE, IOWA, INTERSECTS THE EAST LINE OF SAID PARK AVENUE, THENCE CONTINUING EAST A DISTANCE OF 400 FEET, THENCE NORTH 200 FEET, THENCE WEST TO A POINT ON THE NORTH AND SOUTH CENTER LINE OF SAID SECTION TWENTY-FIVE (25), 200 FEET TO THE PLACE OF BEGINNING..**

**The sale will be conducted via a closed bid auction commencing at 10:00 A.M. on April 11, 2012 in the first floor conference room in City Hall, 215 Sycamore Street, Muscatine, Iowa 52761. Copies of the sale procedures may be obtained in the office of the City Clerk, City Hall, and 215 Sycamore Street, Muscatine, Iowa 52761.**

**You are further notified that oral or written statements in support of, or in opposition to, this proposed sale may be made at the public hearing before City Council to be held at 7:00 P.M. on April 19, 2012, in the Council Chambers in City Hall, 215 Sycamore Street, Muscatine, Iowa.**

**Randy Hill, Acting City Clerk**

**CITY OF MUSCATINE, IOWA  
PUBLIC PROPERTY FOR SALE**  
**AUCTION DATE: APRIL 11, 2012, 10:00 A.M.**  
**LOCATION: FIRST FLOOR CONFERENCE ROOM**  
**CITY HALL – 215 SYCAMORE STREET**  
**MUSCATINE, IOWA 52761**

**DESCRIPTION OF PROPERTY:**

A CERTAIN TRACT OR PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWO (2) WEST OF THE FIFTH (5<sup>TH</sup>) PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION TWENTY-FIVE (25), 533.8 FEET SOUTH OF THE CENTER OF SAID SECTION TWENTY-FIVE (25), THE PLACE OF BEGINNING; RUNNING THENCE EAST TO THE EAST LINE OF PARK AVENUE IN THE CITY OF MUSCATINE, IOWA, TO A POINT 800 FEET NORTHERLY MEASURED ALONG THE EAST LINE OF SAID PARK AVENUE FROM A POINT WHERE THE NORTH LINE OF FAIR OAKS ADDITION TO THE CITY OF MUSCATINE, IOWA, INTERSECTS THE EAST LINE OF SAID PARK AVENUE, THENCE CONTINUING EAST A DISTANCE OF 400 FEET, THENCE NORTH 200 FEET, THENCE WEST TO A POINT ON THE NORTH AND SOUTH CENTER LINE OF SAID SECTION TWENTY-FIVE (25), 200 FEET TO THE PLACE OF BEGINNING..

**SALE PROCEDURES:**

**Sealed Bids.** On or before 9:59 a.m. on April 11, 2012, each bidder shall submit a written bid in a sealed envelope containing a certified check or a cashier's check in the amount of \$25,000.00 payable to the City of Muscatine, Iowa, and the name of the bidder identified on the outside of the envelope. The **minimum** acceptable bid for this property shall be \$350,000.00. The bidder shall also include a plan and schedule for the development of the property including the intended use in as much detail as is possible. As a part of the plan submittal, the bidder shall acknowledge the following:

**A).** The City will retain ownership of the two (2) detached storage buildings located at the rear of the property. The City shall have the buildings removed at its expense within ninety (90) days of the closing date of sale.

**B).** The bidder shall include a plan and schedule for the demolition or reuse of the real estate which shall commence not later than six (6) months following City Council acceptance of the offer and the delivery of a deed suitable for recording with the Muscatine County Recorder's Office.

**Live Auction.** Starting at 10:00 A.M. April 11, 2012, the bids will be opened. Starting with the lowest bidder, each bidder will be given the opportunity to successively raise his/her/its bid in an amount which is higher than the current highest bid in increments of not less than \$5,000.00. This procedure will continue until the highest bid is obtained. Failure to bid in any given round will not prevent re-entering the bidding process at a later time. Unsuccessful bidder's checks will be returned when the auction has been completed.

**Purchase Agreement.** The highest bidder will be expected to deposit an additional \$25,000.00 payable to the City of Muscatine, Iowa, on the auction date. In the alternative, the City will accept a line of credit certified from a reputable lending institution on the auction date, so long as the \$25,000.00 deposit is received within seven (7) days of the auction date. In addition, the highest bidder will be required to execute a purchase agreement, subject to City Council approval, which shall list the sale price, provide for a closing on or about April 20, 2012, and include reference to the plan for development of the property, including the intended use which was submitted with the bid and the proposed schedule for demolition and use.

**Possession and Title.** Possession will be given at closing. Title will be transferred by Special Warranty Deed. A standard groundwater Hazard Statement will be provided at the time of closing.

The proposed purchase agreement and terms of sale are subject to City Counsel review and acceptance. **The City reserves the right to reject all bids and to reject the proposed purchase agreement.**

Inquires may be made to Gregg Mandsager, City Administrator (563.264.1550), or Steven Boka, Director of Community Development (563.262.4141), City Hall, 215 Sycamore Street, Muscatine, Iowa 52761.